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Children's Residential Care Update

DECEMBER 2008

This is our fourth quarter *Children's Residential Care Update* for 2008. We are in the sixteenth year of our efforts to keep the children's residential care community informed of licensing programs and services. Your support in sharing this Update with colleagues in your organization and others interested in children's issues is appreciated.

Our *Updates* are also available online at the new California Department of Social Services (CDSS) Community Care Licensing Division (CCLD) website. They can be viewed or obtained at <http://ccld.ca.gov/PG457.htm>.

GARY LEVENSON-PALMER APPOINTED AS CHIEF OF THE TECHNICAL ASSISTANCE AND POLICY BRANCH

We are pleased to announce that Gary Levenson-Palmer, who is currently the Chief of the Division Administrative Support Bureau with CCLD, has been appointed Chief of the Technical Assistance and Policy Branch (TAPB).

Gary has been with CDSS since 1974 and with CCLD since 1978. In his over 30-plus years with CDSS, Gary has held numerous positions in CCLD. He has worked in headquarters and in the field, including Regional Manager for the Northern California Children's Residential Program.

As TAPB's Chief, Gary will oversee Adult, Senior, and Children's Residential Policy units as well as the Administrator Certification and Central Training sections. Gary has a wealth of experience that will prove tremendously valuable as he takes the helm.

A THANK YOU TO ROBERT PATE, ACTING BRANCH CHIEF OF THE TECHNICAL ASSISTANCE AND POLICY BRANCH

In the September *Update*, we announced that Robert Pate, the Statewide Children's Residential Program Administrator, was appointed as Acting Chief of the TAPB. As 2008 closes, Robert has announced that he is retiring. We give a heartfelt thank you to Robert

for his enduring contributions to CCLD and the TAPB. Robert has been with CDSS for over 30 years, including service as a Licensing Program Analyst (LPA), Licensing Program Supervisor (LPS), and District Manager (DM) in the Los Angeles region and as the Statewide Children's Residential Program Administrator in Sacramento prior to taking the helm at TAPB. We wish Robert the best upon his retirement!

FEDERAL FOSTERING CONNECTIONS TO SUCCESS AND INCREASING ADOPTIONS ACT OF 2008

The federal Fostering Connections to Success and Increasing Adoptions Act (HR 6893), which gives States the option to extend the placement of children in foster care until the ages of 19, 20, or 21 and provided additional funding to the Adoption Incentives Program, was signed into law by the President on October 7, 2008. The Act had many other encouraging provisions for children in foster care, which included the following:

- Assistance for emancipating youth in developing a transition plan,
- Requirements to enhance school attendance and support enrollment in post-secondary or vocational school,
- Support for participation in programs that would promote employment,
- Encouragement of family connections through the placement of siblings together or the maintenance of ties with siblings and relatives,
- Improvements in the oversight of a foster child's health care needs,
- States have the option to use federal Title IV-E funding for kinship guardianship payments, intensive family finding efforts, and residential family substance abuse treatment programs,
- Efforts to improve permanency, and
- Options for Indian tribes to access federal Title IV-E funding.

The full text of HR 6893 may be obtained from the Library of Congress THOMAS search website at <http://thomas.loc.gov/>.

CHAPTERED LEGISLATION FOR 2008

A summary and implementation plan for pertinent bills chaptered in 2008 that affect Children's Residential facilities will soon be available on the CCLD website. Unless otherwise noted in the summary and implementation plan, these bills become effective on January 1, 2009. Licensees are encouraged to review these plans to ensure compliance with the provisions of these bills. If you have any questions, you are encouraged to contact your local licensing regional office. The implementation plans will be online at: <http://ccl.dss.cahwnet.gov/PG830.htm>.

SELF-ASSESSMENT CHECKLISTS

In June 2008, CCLD sent all licensees a letter regarding their responsibilities as licensed care providers and how licensees and CCLD are aiming for the same goal to protect vulnerable people being served in community care settings. CCLD also stressed how critical it is for licensees to maintain compliance with all licensing requirements.

As part of CCLD's continued efforts to work with licensees to ensure compliance, CCLD developed a checklist covering the most serious violations that come to our attention. These are violations that present immediate or substantial threats to the physical health, mental health, or safety of those in your care. Included in this letter was the checklist, and it was strongly suggested that licensees use the checklist routinely when conducting their own facility inspections. You can access the checklist on the CCLD website:
<http://cclld.ca.gov/PG832.htm>

UPDATE ON SSI/SSP AND NON-MEDICAL RATES FOR 2008

New Supplemental Security Income (SSI)/State Supplementary Payment (SSP) rates become effective January 1, 2009. The new rates reflect a 5.8% federal cost of living increase to the SSI portion of the benefit. There is no cost of living increase to the SSP portion of the benefit due to Assembly Bill (AB) 1279 (Chapter 759, Statutes of 2008), which suspended the SSP cost of living adjustment (COLA) for 2009. A chart showing the new estimated SSI/SSP payment standards is included with this *Update*, along with a second chart showing the new non-medical out-of-home care payment standards. If you have questions regarding these new rates, please contact Rick Easley of the Adult Programs Operations Bureau at (916) 229-0345.

REGULATIONS DOCKET

Foster Family Homes: CDSS staff expects that a public hearing on the proposed Foster Family Homes regulations will be scheduled for early 2009.

These regulations will implement several pieces of legislation that include: Assembly Bill (AB) 408 (Chapter 813, Statutes of 2003), which entitled foster children to participate in age-appropriate extracurricular, enrichment, and social activities; AB 1116 (Chapter 637, Statutes of 2005) which authorized designated, trained caregivers who are not licensed health care providers to administer emergency medical assistance and/or injections for specific reasons to a foster child in placement; AB 1514 (Chapter 120, Statutes of 2007), which specified that psychotropic medication may be administered to a child who is a ward of the court with a court order; AB 2651 (Chapter 701, Statutes of 2008), which permits an existing Foster Family Home license to be transferred to a new location when a licensee moves; Senate Bill (SB) 358 (Chapter 628, Statutes of 2005) which established the Reasonable and Prudent Parent Standard and exempted short-term babysitters from regulatory requirements for criminal background check, health screening, and CPR training; and SB 500 (Chapter 630, Statutes of 2005), which defined a "Whole Family Foster Home" and required a "Shared Responsibility Plan" for a minor parent and caregiver with regard to the minor parent's child.

Public hearing information will be posted on the Office of Regulations Development (ORD) website under "Regulation Changes in Process/Completed Regulations", in "Public Hearing Information" at <http://www.dss.cahwnet.gov/ord/PG321.htm>. Interested individuals wanting to comment on the Foster Family Homes regulations at public hearing may contact ORD at ord@dss.ca.gov.

If you have questions about these proposed regulations, please contact the Policy Development Bureau at (916) 324-4312.

UPDATE ON FOSTER FAMILY AGENCY WEB APPLICATION

CCLD is pleased to announce that over 90% of all Foster Family Agencies (FFAs) statewide are using the FFA Web Application! The FFA Web Application went live May 1, 2008 allowing FFAs to certify, decertify, and edit certified family home information. If your agency is not using the web application, please contact your local licensing office to assist you in getting started.

UPCOMING TRAINING OPPORTUNITIES

Group Home Conference: A Group Home Conference co-sponsored by the California Alliance of Child and Family Services, the Northern California Placement Committee, and CCLD will be held April 16-17, 2009 at the Hyatt Regency San Francisco Airport in Burlingame. Registration materials and hotel information will be mailed in early 2009.

REMINDERS REGARDING FIRST AID AND CPR TRAINING

If you are a Children's Residential facility administrator, staff, or foster parent seeking First Aid and Cardiopulmonary Resuscitation (CPR) training that meets California Code of Regulations (CCR), Title 22 requirements, regulations permit you to obtain this training from a variety of providers. You are permitted to obtain this training from agencies including, but not limited to, the American Red Cross [CCR sections 80075(i), 83075(f), 86575(d), 89405(a), and 89475(b)] or the American Red Cross, the American Heart Association, a training program approved by the Emergency Medical Services Authority (EMSA), or any course offered or approved by an accredited college or university [CCR sections 84265(c)(3), 84265(g), and 86565(n)].

Please ensure that you receive valid documentation to verify that you have completed First Aid and CPR training. This documentation must include a current, unexpired card issued by the training provider that includes your name, the effective date(s) of the certificate, and a valid signature, stamp, or sticker from the training provider. You must maintain currently valid documentation that you have completed First Aid and CPR training on file in your facility or home.

If you have questions about these reminders regarding First Aid and CPR training, please contact the Policy Development Bureau at (916) 324-4312.

SUDDEN INFANT DEATH SYNDROME (SIDS) – NEW DEVELOPMENT

A study of nearly 500 babies indicated that using a fan to circulate air in a baby's room seemed to lower the risk of Sudden Infant Death Syndrome (SIDS). For more detailed information regarding this report and to learn more about other factors associated with SIDS, please visit America Online (AOL) News at the following link: [AOL News](#). This information was shared in the October 2008 *Child Care Update*.

TELL US HOW YOU WOULD LIKE TO RECEIVE THE *UPDATE*

Would you and your colleagues like to receive our *Children's Residential Care Update* via e-mail or in hard copy format? Please let Marisa Sanchez (formerly Marisa Lopez) of our staff know your preferences by sending her an e-mail at Marisa.Lopez@dss.ca.gov or by phone at (916) 323-1372.

RESIDENTIAL CARE STATISTICS

All of the statistics for state and county licensed Children's Residential Care facilities are available online. When you visit the new CCLD home page at <http://www.cclld.ca.gov>, please click on the "Facility Facts" tab at the top of the page. Click on the "Licensing Statistics" link on the center of the page that appears. Then, click on the desired "State Licensed Facilities by Geographical Area" or "County Licensed Facilities" link on the center of the page. Directories can also be obtained from your local licensing office.

SUMMARY

If you have questions about this *Update* or suggestions for future topics, please contact Gary Palmer, Chief of the Technical Assistance and Policy Branch at (916) 324-4312. Please visit our website at www.cclld.ca.gov to obtain *Updates*, office locations, provider letters, regulations, or to learn more about licensing services.

Sincerely,

Original signed by Jo Frederick

JO FREDERICK
Deputy Director
Community Care Licensing Division

Enclosures